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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,220	01/21/2004	Kia Silverbrook	SMA07US	1375
24011 7590 12/11/2008 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			EXAMINER MARTIN, LAURA E	
			ART UNIT 2853	PAPER NUMBER
			MAIL DATE 12/11/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/760,220

Applicant(s)

SILVERBROOK ET AL.

Examiner

LAURA E. MARTIN

Art Unit

2853

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 3, 6-8 and 14-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 5, 9-13, 24 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/4/08 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. "a roller to contact print media rolled on the roll of print media" is critical or essential to the practice of the invention, but not included in the claim(s) is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976). The specification teaches the roller coming into contact with the paper after it has been unrolled from the roller.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 5, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook (US 2002/0033854) in view of Silverbrook et al. (US 2002/0183088).

Silverbrook discloses the following claim limitations:

As per claim 1: a photofinishing system comprising a support structure (figure 164B, element 1112), a processor [2920], and a printer (figure 163, element 615) mounted to the support structure so as to contact print media unrolled from the roll of print media (figure 164B, element 1122 - part of support structure contacts media that has been unrolled from the roll), a cartridge containing a roll of print media (figure 164B, element 1126) and print media feed means (figure 164B, element 1130) arranged in used to be mounted to the support structure and drive means (figure 162) and [1800] mounted to the support structure and having a coupling arranged to couple with the print media feed means on the unrolled print media via the coupling to the drive means (figure 164B, element 1128) and a roller arranged to contact the rolled print media (figure 164B, element 1130) when the cartridge is mounted to the support structure, the print media being fed (figure 164B, element 1118) through the printer by operation of

the roller on the roll of print media and the coupled device and print media feed means [1823].

As per claim 4: at least one printing fluid is provided for the printer by way of at least one replaceable printing fluid cartridge [1828].

As per claim 5: the at least one refillable secondary cartridge carried by the cartridge, the secondary cartridge containing printing ink to be delivered to the printer (figure 164B, element 1102).

As per claim 9: the printer comprises at least one printhead assembly (figure 162, element 615)

Silverbrook does not disclose the following claim limitations:

As per claim 1: the print media feed means and cartridge arranged to be removably mounted to the support structure and the processor being arranged to generate a printer drive signal that is representative of a photographic image [0036], [0039] and the printer being coupled to the processor and arranged to process the drive signal and effect printing of the photographic image on the print media as the print media is fed through the printer from the cartridge [0042]-[0043].

As per claim 2: the processor comprises a digital processor which is arranged to receive digitised data that is representative of a photographic [0036], [0039] image and to process the data in a manner to generate a printer drive signal that is representative of the photographic image, and the printer is arranged to process the drive signal and effect page-width printing of the photographic image on the print media as it is fed directly to the printer from the roll [0042]-[0043].

Silverbrook does not disclose the following claim limitations:

As per claim 1: the print media feed means and cartridge arranged to be removably mounted to the support structure (figure 5) [0031] and the processor being arranged to generate a printer drive signal that is representative of a photographic image and the printer being coupled to the processor and arranged to process the drive signal and effect printing of the photographic image on the print media as the print media is fed through the printer from the cartridge [.

As per claim 2: the processor comprises a digital processor which is arranged to receive digitised data that is representative of a photographic image and to process the data in a manner to generate a printer drive signal that is representative of the photographic image, and the printer is arranged to process the drive signal and effect page-width printing of the photographic image on the print media as it is fed directly to the printer from the roll.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the printer taught by Silverbrook with the disclosure of Silverbrook et al. in order to provide a high quality mobile printer.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook (US 2002/0033854) and Silverbrook et al. (US 2002/0183088), and further in view of Silverbrook (US 6443555).

Silverbrook as modified disclose the following claim limitations:

As per claims 10: the photofinishing system of claim 1.

As per claim 11: the print head assemblies are arranged selectively to direct printing fluid onto at least one face of print media from a roll of print media (figures 162 and 164B).

Silverbrook as modified do not disclose the following claim limitations:

As per claim 10: the printer comprises two confronting, spaced-apart print head assemblies.

Silverbrook et al. disclose the following claim limitations:

As per claim 10: the printer comprises two confronting, spaced-apart print head assemblies (column 6, lines 18-24).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the photofinishing system taught by Silverbrook as modified with the printheads taught by Silverbrook et al. in order to create longer printhead.

Claims 12, 13, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook (US 2002/0033854) and Silverbrook et al. (US 2002/0183088), and further in view of Silverbrook (US 6439908 B1).

Silverbrook as modified disclose the following claim limitations:

As per claims 12, 13, 24, and 25: the printing system of claim 1.

Silverbrook et al. as modified do not disclose the following claim limitations:

As per claim 12: each print head assembly comprises at least one print head module, each of which comprises a unitary arrangement of: a support member and at

least four micro-electromechanical integrated circuit print head chips, each of which has a plurality of nozzles to and from which the printing fluid is delivered; fluid distribution arrangement mounting each of the printhead chips to the support member, and a connector for connecting electrical power and signals to each of the printhead chips.

As per claim 13: the at least one printhead module is removably located in a channel portion of a casing and the casing contains electrical circuitry for controlling the delivery of electrical power and drive signals to the printhead chips by way of the connector.

As per claim 25: the printhead assembly has a width within the range of 150 to 1250 mm and printhead chips numbering between 8 and 64.

Silverbrook (908) disclose the following claim limitations:

As per claim 12: each print head assembly comprises at least one print head module (figure 2), each of which comprises a unitary arrangement of: a support member (figure 2, element 16) and at least four micro-electromechanical integrated circuit print head chips (figure 2, element 18), each of which has a plurality of nozzles to and from which the printing fluid is delivered; fluid distribution arrangement mounting each of the printhead chips to the support member, and a connector for connecting electrical power and signals to each of the printhead chips (figure 8, element 48 or figure 2, elements 58 and 60 and figure 6, element 54).

As per claim 13: the at least one printhead module is removably located in a channel portion (column 1, line 65 – column 2, line 5 and figure 2) of a casing and the casing contains electrical circuitry for controlling the delivery of electrical power and

drive signals to the printhead chips by way of the connector (figure 3, element 66 and 54).

As per claim 25: the printhead assembly has a width within the range of 150 to 1250 mm and printhead chips numbering between 8 and 64 (column 2, lines 34-61 and column 6, lines 12-18).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Silverbrook as modified with the electrical system of Silverbrook (908) in order to more effectively control the printing system.

As per claim 24: Silverbrook et al. as modified disclose the following claimed limitation except for the printhead assembly is arranged to effect printing of the print media with a feed rate of up to 2 meters per second. It would have been obvious to one having ordinary skill in the art at the time the invention was made to change the feed rate in order to improve image quality and reduce streaking, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233.

Response to Arguments

Applicant's arguments filed 11/4/08 have been fully considered but they are not persuasive.

Applicant argues that "the print media feed means contacts print media unrolled from the roll of print media and the roller contacts the print media rolled on the roll of print media" overcomes prior art; however, the examiner disagrees. First, the present application does not teach the roller contacting rolled media; it appears, from the drawings, to teach the roller contacting unrolled media. Second, the prior art also teaches print media feed means contacting unrolled print media.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAURA E. MARTIN whose telephone number is (571)272-2160. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Laura E. Martin

/L. E. M./
Examiner, Art Unit 2853

/Manish S. Shah/
Primary Examiner, Art Unit 2853